

Ted Poretz
Ellenoff Grossman & Schole LLP
150 East 42nd Street
New York, New York 10017
Telephone: (212) 370-1300

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DOC #: _____
DATE FILED: 6/4/08

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOUTH CHERRY STREET, LLC,

Case No. 06 CV 2943 (CM)

Plaintiff,

-against-

HENNESSEE GROUP L.L.C., ELIZABETH
LEE HENNESSEE, and CHARLES A.
GRADANTE,

Defendants.

STIPULATION OF SUBSTITUTION
OF COUNSEL

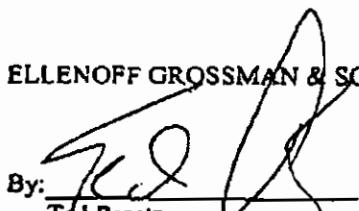
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel, that with the law firm of Ellenoff Grossman & Schole, LLP, 150 East 42nd Street,
New York, New York 10017, shall be substituted as attorneys of record for the plaintiff South
Cherry Street, LLC in the above-captioned action in the place of Bingham McCutchen LLP 399

A71141M01

Park Avenue, New York, New York 10022, as of the date hereof. All papers should be served upon Ellenoff Grossman & Schole, LLP henceforth.

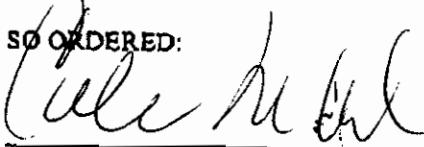
Dated: New York, New York.
May 30, 2008

ELLENOFF GROSSMAN & SCHOLE LLP

By: 
Ted Poretz

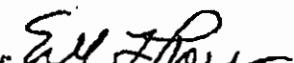
150 East 42nd Street
New York, NY 10017
Tel: (212) 370-1300
email: tporetz@egsllp.com
Incoming Attorneys for Plaintiff

SO ORDERED:


U.S.D.J.

6-3-2008

BINGHAM McCUTCHEN LLP

By: 
Edward L. Powers

399 Park Avenue
New York, NY 10022-4689
Tel: (212) 705-7000
email: epowers@bingham.com
Outgoing Attorneys for Plaintiff

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Ellenoff Grossman & Schole LLP
150 East 42nd Street
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SOUTH CHERRY STREET, LLC,

Case No. 06 CV 2943 (CM)

Plaintiff,

-against-

HENNESSEE GROUP L.L.C., ELIZABETH
LEE HENNESSEE, and CHARLES A.
GRADANTE,

**AFFIDAVIT IN SUPPORT OF
SUBSTITUTION OF COUNSEL**

Defendants.

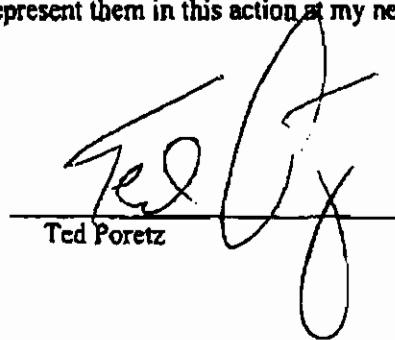
STATE OF NEW YORK)
)
) ss.:
COUNTY OF NEW YORK)

Ted Poretz, being duly sworn, deposes and says:

1. I am a partner with the law firm of Ellenoff Grossman & Schole, LLP, 150 East 42nd Street, New York, New York 10017, new counsel for South Cherry Street, LLC, plaintiff in this action.
2. I submit this affidavit pursuant to Local Rule 1.4 in support of the substitution of our firm as counsel for the defendants in the place and stead of outgoing counsel Bingham McCutchen LLP, 399 Park Avenue, New York, New York 10022.

AFT14101.1

3. I am the principal attorney for the plaintiff in this action. I have recently left Bingham McCutchen LLP and joined Ellenoff Grossman & Schole, LLP. The Plaintiff has requested that I continue to represent them in this action at my new firm.



Ted Poretz

Sworn to before me this
2nd day of June 2008



PAUL MAPP
Notary Public, State of New York
No. 03-4950922
Qualified in New York County
Commission Expires May 8, 20____

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CERTIFICATE OF SERVICE

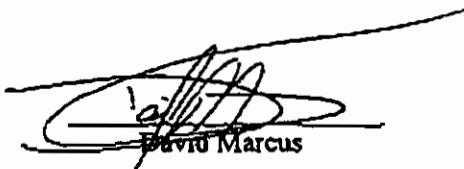
David Marcus, an attorney admitted to practice before this Court, hereby certifies under the penalties of perjury the following:

I am employed by the law firm of Bingham McCutchen LLP, over the age of 18 and not a party to this action.

On this date, the 2nd of June, 2008, I caused the annexed Stipulation of Substitution of Counsel with Supporting Affidavit to be served by First Class Mail on the following:

Bennett Falk, Esq.
Bressler Amery & Ross
2810 SW 149th Avenue
Miramar, FL 33027

Bennett Falk, Esq.
Bressler Amery & Ross
17 State Street
New York, NY 10004



David Marcus

7/28/1941